

## **IN THE CLAIMS**

1. (Currently Amended) A tonneau cover apparatus for removable attachment about a perimeter of a cargo box and tailgate of a pickup truck, the tonneau cover apparatus comprising:

a flexible cover;

an end plate having a forward end;

a support frame for attachment to the cargo box; the support frame having first and second side rails forming opposite sides of the support frame, each of said first and second side rails including an end plate engagement member, each end plate engagement member being configured to engage and receive similar, but spaced apart, portions of the end plate, wherein the end plate is attached to an end of the flexible cover and the end plate is configured to cooperatively engage and pivot with respect to each end plate engagement member as the end plate passes into and out of a fixed stretching position, wherein the flexible cover is tensed when the end plate passes into the fixed stretching position; the end plate having a radial engaging surface on the forward end and each of the end plate engagement members having a receiving surface that engages at least a portion of the radial engaging surface when the end plate pivots into the fixed stretching position and the forward end of the end plate pivots with respect to the engagement member.

2. (Previously Amended) The tonneau cover apparatus of claim 1, wherein the receiving surfaces are radial surfaces.

3. (Original) The tonneau cover apparatus according to claim 2, wherein the end plate engagement member further includes an extension portion, the extension portion configured to slidingly support and guide a portion of the end plate as it moves into and out of the end plate receiving area.

4. (Original) The tonneau cover apparatus according to claim 3, wherein the end plate engagement member is composed of a glass filled nylon resin material.

5. (Original) The tonneau cover apparatus of claim 2, wherein the fastening element has an axis passing through a longitudinal center and the end plate receiving area includes an end plate engaging surface having a pivot point forward of the axis of the fastening element, the pivot point being a point about which the end plate can slideably pivot when transitioning into the fixed stretching position, the distance between the axis of the fastening element and pivot point being equal to or less than 2.0 inches.

6. (Original) The tonneau cover apparatus of claim 5, wherein at least a portion of the end plate is flat.

7. (Currently Amended) A tonneau cover apparatus for removable attachment about a top of a perimeter of a cargo box and tailgate of a pickup truck, the tonneau cover apparatus comprising:

a flexible cover having a forward end;

an end plate;

a support frame for attachment to the cargo box; the support frame having first

and second side rails forming opposite sides of the support frame, each of said first and second side rails including an end plate engagement member, each end plate engagement member being configured to engage and receive similar, but spaced apart, portions of the end plate, wherein the end plate is attached to an end of the flexible cover and the end plate is configured to cooperatively engage and pivot with respect to each end plate engagement member as the end plate passes into and out of a fixed stretching position, wherein the flexible cover is tensed when the end plate passes into the fixed stretching position; the end plate having a radial engaging surface on the forward end and each of the end plate engagement members having a radial receiving surface that engages at least a portion of the radial engaging surface when the end plate pivots into the fixed stretching position and the forward end of the end plate pivots with respect to the engagement member.

8. (Original) The tonneau cover apparatus of claim 5, wherein the end plate engaging the surface comes to an end at the pivot point.

9. (Previously Amended) The tonneau cover apparatus of claim 8, wherein the perimeter of the cargo box includes a forward end and two opposing sidewalls; the support frame includes two opposing side rails, one of which is secured to each of the respective opposing side walls; the tonneau cover apparatus further including a second end plate engagement member; each of the end plate engagement members being attached to one of the two side rails attached to the two opposing side walls; wherein the side rails each have an inwardly extending flange portion and the locking member

includes a finger portion, the finger portion of the locking member being positioned below the respective inwardly extending flange portion when the locking member is in the first position such that the end plate cannot be disengaged from the end plate engagement member, because the finger portion is restrained by the inwardly extending flange, the finger portion of the locking member being removed from the inwardly extending flange portion when the locking member is moved from the first position to the second position such that the end plate can be disengaged from the end plate engagement member when the locking member is in the second position.

10. (Previously Amended) The tonneau cover apparatus according to claim 9, wherein the locking member includes an upper portion which is slidably retained within the end plate, and the finger portion is spaced apart from the upper portion and extends outwardly beyond the main body of the upper portion.

11. (Previously Amended) The tonneau cover apparatus according to claim 10, wherein the end plate includes a channel having a cross-sectional shape which is smaller at the bottom and larger at the top so that it has a generally "T" shaped configuration.

12. (Currently Amended) A tonneau cover apparatus for removable attachment about a top of a perimeter of a cargo box of a pickup truck, the perimeter of the cargo box including a forward end, two opposing sidewalls and a tailgate, the tailgate being positioned rearward of the forward end and having an open position and a closed position, ~~the flexible cover having first and second ends,~~ the tonneau cover apparatus

comprising:

a flexible cover having first and second ends;

a support frame for attachment to the cargo box, the support frame including two opposing side rails and a pair of end plate engagement members, one of which is secured to each of the respective opposing side rails rearward of the forward end when the support frame is attached to the cargo box of the pickup truck;

an end plate attached to the second end of the flexible cover, the end plate having a forward end configured to cooperatively engage and pivot with respect to each of the respective end plate engagement members; wherein the end plate engagement members cooperate to engage the end plate when the first end of the flexible cover is operatively connected to the support frame forward of the respective engagement members, such that the end plate can pivot into and out of a fixed stretching position wherein the flexible cover is stretched to place a tension on the flexible cover; the end plate having a radial engaging surface on the forward end and each of the end plate engagement members having a receiving surface which engages at least a portion of the radial engaging surface when the end plate pivots into the fixed stretching position and the forward end of the end plate pivots with respect to the engagement member;  
and

a locking member, the locking member operatively connected to the end plate rearward of each of the end plate engagement members when the end plate is in the fixed stretching position and movable between a first position and a second position when the end plate is in the fixed stretching position; wherein the locking member prevents the end plate from being disengaged from the fixed stretching position when

the locking member is in the first position, and wherein the end plate can be disengaged from the fixed stretching position when the locking member is in the second position.

13. (Previously Amended) The tonneau cover apparatus of claim 12, wherein the receiving surfaces are radial surfaces.

14. (Currently Amended) The tonneau cover apparatus of claim 13, ~~wherein the perimeter of the cargo box includes a forward end and two opposing sidewalls; the support frame includes two opposing side rails, one of which is secured to each of the respective opposing side walls; the tonneau cover apparatus further including a second end plate engagement member; each of the end plate engagement members being attached to one of the two side rails attached to the two opposing side walls; wherein~~ the side rails each have an inwardly extending flange portion and the locking member includes a finger portion, the finger portion of the locking member being positioned below the respective inwardly extending flange portion when the locking member is in the first position such that the end plate cannot be disengaged from the end plate engagement member, because the finger portion is restrained by the inwardly extending flange, the finger portion of the locking member being removed from the inwardly extending flange portion when the locking member is moved from the first position to the second position such that the end plate can be disengaged from the end plate engagement member when the locking member is in the second position.

15. (Original) The tonneau cover apparatus according to claim 14, wherein the locking member includes an upper portion which is slidably retained within the end plate, and the finger portion is spaced apart from the upper portion and extends

outwardly beyond the main body of the upper portion.

16. (Original) The tonneau cover apparatus according to claim 15, wherein the end plate includes a channel having a cross-sectional shape which is smaller at the bottom and larger at the top so that it has a generally "T" shaped configuration.

17. (Currently amended) A method of closing a tonneau cover apparatus, the method comprising the steps of:

(a) providing a tonneau cover apparatus for removable attachment about a top of a perimeter of a cargo box of a pickup truck, the cargo box including an upper end, two sidewalls and a tailgate, the tonneau cover apparatus including:

a flexible cover having first and second ends;

an end plate having a forward end; and

a support frame for attachment to the cargo box; the support frame having first and second side rails forming opposite sides of the support frame, each of said first and second side rails including an end plate engagement member, each end plate engagement member being configured to engage and receive spaced apart portions of the end plate; the first end of the flexible cover being secured to the support frame forward of the respective end plate engagement members and the second end of the flexible cover being secured to the end plate; wherein the end plate is configured to cooperatively engage and pivot with respect to each end plate engagement member as the end plate passes into and out of a fixed stretching position in which the tonneau cover is in a closed position when the support frame is attached to the top of the perimeter of the cargo box, wherein the flexible cover can be correspondingly tensed

and relaxed when the end plate passes into and out of the fixed stretching position; the end plate having a forward end, including two spaced apart portions having integrally formed radial engaging surfaces that are configured and arranged to engage with and pivot with respect to the respective end plate engagement members; each of the end plate engagement members having a ~~radial~~ receiving surface configured and arranged to receive and engage one of the spaced apart portions having radial engaging surfaces ~~integrally formed radial engaging surface of the end plate;~~

(b) engaging the spaced apart radial engaging surfaces on the forward end ~~portions~~ of the end plate with the ~~radial~~ receiving surfaces of the respective end plate engagement members;

(c) pivoting the end plate in a first direction with respect to the end plate engagement members such that the spaced apart radial portions of the end plate slide against the ~~radial~~ receiving surfaces until the flexible cover is tensed and the end plate is in the fixed stretching position.

18. (Previously presented) The method of claim 17, wherein the tonneau cover apparatus further includes a locking member, the locking member being operatively connected to the end plate rearward of each of the respective end plate engagement members when the end plate is in the fixed stretching position and movable between a first position and a second position when the end plate is in the fixed stretching position; wherein the locking member prevents the end plate from being disengaged from the fixed stretching position when the locking member is in the first position, and wherein



the end plate can be disengaged from the fixed stretching position when the locking member is in the second position;

wherein the step of pivoting includes placing the locking member in the first position.

19. (New) The method of claim 17, wherein the receiving surfaces include a radial surface with which the respective radial surfaces of the end plate cooperatively engage and pivot when the end plate passes into the fixed stretching position.